



MICHIGAN

OFFICE OF THE AUDITOR GENERAL

AUDIT REPORT



THOMAS H. MCTAVISH, C.P.A.
AUDITOR GENERAL

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Michigan *Office of the Auditor General* **REPORT SUMMARY**

Performance Audit Parole Supervision and Parole Hearing Process Department of Corrections

Report Number:
471-0618-06L

Released:
January 2008

Field Operations Administration (FOA), Department of Corrections (DOC), supervises prisoners who are released to parole. Parolees are assigned to DOC parole agents based on the appropriate level of supervision (minimum, medium, maximum, or intensive). Also, FOA conducts parole hearings for parolees who commit parole violations.

Audit Objective:

To assess the effectiveness of DOC's efforts to comply with statutes and internal policies and procedures related to parole supervision.

Audit Conclusion:

We concluded that DOC's efforts to comply with statutes and internal policies and procedures related to parole supervision were moderately effective. We noted four reportable conditions (Findings 1 through 4).

Reportable Conditions:

DOC should take the necessary steps to obtain access to other State databases to help locate parole absconders, including requesting an Attorney General opinion, seeking amendatory legislation, and establishing reciprocal data sharing agreements with other State departments (Finding 1).

DOC did not always comply with its policies for supervising parolees (Finding 2).

DOC did not effectively monitor the contract agency responsible for investigating, locating, and arresting Region I absconders (Finding 3).

DOC did not properly document that parolees met the requirements for discharge (Finding 4).

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Audit Objective:

To assess the effectiveness of DOC's efforts to comply with its policies and procedures related to processing parole violators.

Audit Conclusion:

We concluded that DOC's efforts to comply with its policies and procedures related to processing parole violators were effective. Our audit report does not include any reportable conditions related to this audit objective.

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Audit Objective:

To assess the effectiveness of DOC's efforts to ensure the integrity of parole data within the Offender Management Network Information System (OMNI).

Audit Conclusion:

We concluded that DOC's efforts to ensure the integrity of parole data within OMNI were moderately effective. We noted one reportable condition (Finding 5).

Reportable Condition:

DOC parole agents did not properly update OMNI (Finding 5).

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Agency Response:

Our audit report includes 5 findings and 5 corresponding recommendations. DOC's preliminary response indicates that it agrees with all of the recommendations and has taken or will take steps to comply.

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A copy of the full report can be
obtained by calling 517.334.8050
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AUDITOR GENERAL

January 15, 2008

Ms. Patricia L. Caruso, Director
Department of Corrections
Grandview Plaza Building
Lansing, Michigan

Dear Ms. Caruso:

This is our report on the performance audit of the Parole Supervision and Parole Hearing Process, Department of Corrections.

This report contains our report summary; description of agency; audit objectives, scope, and methodology and agency responses and prior audit follow-up; comments, findings, recommendations, and agency preliminary responses; various exhibits, presented as supplemental information; and a glossary of acronyms and terms.

Our comments, findings, and recommendations are organized by audit objective. The agency preliminary responses were taken from the agency's responses subsequent to our audit fieldwork. The *Michigan Compiled Laws* and administrative procedures require that the audited agency develop a formal response within 60 days after release of the audit report.

We appreciate the courtesy and cooperation extended to us during this audit.

Sincerely,

A handwritten signature in black ink, reading "Thomas H. McTavish".

Thomas H. McTavish, C.P.A.
Auditor General

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Description of Agency

Field Operations Administration (FOA), Department of Corrections (DOC), is statutorily responsible for supervising prisoners who are released to parole under Section 791.231 of the *Michigan Compiled Laws*.

Prisoners incarcerated for at least the minimum portion of their sentences can be placed on parole by vote of the Parole Board. With some exceptions, an offender is supervised on parole for a period of two years. DOC's goal for parole supervision is to protect the public. This is carried out by assigning parolees* to DOC parole agents based on the appropriate level of supervision (minimum, medium, maximum, or intensive), enforcing compliance with parole orders, and assisting parolees in their successful reintegration into the community.

Parole supervision helps to ensure parolee compliance with Parole Board orders. Parole Board orders restrict parolee movements and require the parolees to report to their parole agents regularly, seek and maintain employment, comply with all rules and special conditions issued by the Parole Board, and refrain from engaging in criminal behavior. In addition, Parole Board orders prohibit any association with known criminals and possession of firearms.

Field supervision staff respond to alleged violations of parole by imposing sanctions upon the parolee. These responses to allegations of parole violation may include more restrictive changes to the terms of parole supervision, community service, substance abuse treatment, placement in a corrections center or a highly structured technical rule violator center for up to 90 days, and/or parole reinstatement. A designee of the deputy director may also order a return to prison to face revocation proceedings before the Parole Board, provided the parolee has been charged with violating conditions of parole. Before ordering the return of a parolee, the parolee would be formally charged with violating conditions of parole and entitled to a preliminary hearing to determine probable cause on those charges. The parolee may waive the preliminary hearing. If the designee of the deputy director orders the return of a parolee following the preliminary hearing or waiver, the case is then forwarded to the Parole Board to commence revocation processing.

* See glossary at end of report for definition.

The Parole Board may revoke parole whenever it is established that a parolee has violated a rule or condition of parole. In the revocation process, the parolee may either admit the violation(s) or contest the violation(s). A hearing officer will make a determination whether the parolee has violated a condition(s) of parole. After the hearing officer determines that a parole violation has been sustained, the Parole Board will review the established violation(s) and make a final determination as to whether the violation(s) warrants revocation. The Parole Board sanction will range from reparole to reimprisonment for a period of time to be determined by the Parole Board.

DOC operates a client server computer system in its field offices. Parole agents within each office have access to a desktop work station to update and inquire about parolee data. All essential case management activities are completed in the Offender Management Network Information System (OMNI) application from the agent's desktop. In addition, nonagent staff document case supervision activity as well as enter supporting offender data in OMNI. Field offices are connected to OMNI to document parolee data that is stored on a central server in Lansing. The Office of the Auditor General released a performance audit of the General Controls of the Offender Management Network Information System, Department of Corrections and Department of Information Technology (471-0592-07), in December 2007.

DOC supervised 16,029 parolees as of December 31, 2006 and held 1,773 parole violation hearings during calendar year 2006. As of June 30, 2007, FOA had 1,113 parole agents. FOA's fiscal year 2006-07 appropriation for parole operations was \$144 million.

Audit Objectives, Scope, and Methodology and Agency Responses and Prior Audit Follow-Up

Audit Objectives

Our performance audit* of the Parole Supervision and Parole Hearing Process, Department of Corrections (DOC), had the following objectives:

1. To assess the effectiveness* of DOC's efforts to comply with statutes and internal policies and procedures related to parole supervision.
2. To assess the effectiveness of DOC's efforts to comply with its policies and procedures related to processing parole violators.
3. To assess the effectiveness of DOC's efforts to ensure the integrity of parole data within the Offender Management Network Information System (OMNI).

Audit Scope

Our audit scope was to examine the program and other records related to parole supervision and parole violations, which included the examination of parolee case files and other records of the three regional offices within the Department of Corrections. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances. Our audit procedures, conducted from October 2006 through July 2007, generally covered the period October 1, 2004 through June 30, 2007.

Supplemental information was provided by the Department of Corrections and is presented in Exhibits 1 through 11. Our audit was not directed toward expressing a conclusion on this information and, accordingly, we express no conclusion on it.

Audit Methodology

Our audit methodology included a preliminary review of the parole supervision and parole violation operations. This included interviewing various DOC staff and reviewing applicable statutes, policies and procedures, annual audit reports, legislative reports, and other reference materials.

* See glossary at end of report for definition.

To accomplish our first audit objective, we reviewed applicable statutes, DOC policy directives and operating procedures, and Field Operations Administration (FOA) memorandums. We also reviewed FOA oversight activities, including evaluation of parole agents and supervision and monitoring of parolees. In addition, we reviewed the absconder* follow-up process. We interviewed parole supervision staff, including regional directors, area managers, supervisors, and parole agents. We visited three local parole offices that accounted for 28% of the parolees under FOA supervision. At each location, we selected a random sample of parolees from OMNI and examined parolee records to determine proper supervision and we reviewed absconder records to determine whether FOA staff followed up on absconders in a proper and timely fashion. Further, we reviewed a sample of parole discharges to determine compliance with DOC policies and procedures.

To accomplish our second objective, we reviewed applicable statutes, administrative rules, DOC policy directives and operating procedures, and FOA memorandums. We interviewed FOA staff, including FOA management and staff responsible for processing and carrying out the parole violation process. Also, we examined FOA's process to review parole violators, including a review of the parole violation screening process and the parole hearing process. In addition, we reviewed parole violation case files for fiscal years 2005-06 and 2006-07. We randomly selected a sample of parole violators and examined case files to determine compliance with DOC policies and procedures.

To accomplish our third objective, we interviewed parole staff who use OMNI to determine how OMNI is utilized in the day-to-day function of parole monitoring and the parole violation and hearing processes. Also, we reviewed hard copy supporting documentation to determine if OMNI data was accurate and complete. In addition, we reviewed the reasonableness of DOC's audit process of parole agent activity. This process utilizes OMNI data to determine parole agent compliance with DOC policies and procedures.

Agency Responses and Prior Audit Follow-Up

Our audit report includes 5 findings and 5 corresponding recommendations. DOC's preliminary response indicates that it agrees with all of the recommendations and has taken or will take steps to comply.

* See glossary at end of report for definition.

The agency preliminary response that follows each recommendation in our report was taken from the agency's written comments and oral discussion subsequent to our audit fieldwork. Section 18.1462 of the *Michigan Compiled Laws* and the State of Michigan Financial Management Guide (Part VII, Chapter 4, Section 100) require DOC to develop a formal response to our audit findings and recommendations within 60 days after release of the audit report.

We released our prior performance audit of Parole and Probation Services, Field Operations Administration, Department of Corrections (47-615-98), in November 1999. Within the scope of this audit, we followed up the two prior audit recommendations. DOC complied with both prior audit recommendations.

COMMENTS, FINDINGS, RECOMMENDATIONS, AND AGENCY PRELIMINARY RESPONSES

COMPLIANCE RELATED TO PAROLE SUPERVISION

COMMENT

Audit Objective: To assess the effectiveness of the Department of Corrections' (DOC's) efforts to comply with statutes and internal policies and procedures related to parole supervision.

Conclusion: We concluded that DOC's efforts to comply with statutes and internal policies and procedures related to parole supervision were moderately effective. Our assessment disclosed four reportable conditions* related to absconder matches, parolee supervision, monitoring of absconders, and parole discharges (Findings 1 through 4).

FINDING

1. Absconder Matches

DOC should take the necessary steps to obtain access to other State databases to help locate absconders, including requesting an Attorney General opinion, seeking amendatory legislation, and establishing reciprocal data sharing agreements with other State departments. Without access, DOC may have missed opportunities to locate and apprehend absconders, including some absconders who may be considered a risk to public safety.

Absconder Recovery Unit (ARU) staff are required to make initial contacts within 10 business days following referral of a parolee to ARU and to make additional contacts in at least six-month intervals during the first two years and annually thereafter. This includes contacts at the parolee's last known address or with the offender's family, significant others, known acquaintances, and employers, when feasible. Matching other State databases could provide an additional research tool to help locate absconders.

Our review of the Offender Management Network Information System (OMNI) identified 1,315 outstanding absconder warrants issued between January 2004 and February 2007. We matched the OMNI absconder data with other selected State databases and found data related to 382 of the absconders in at least one other State database. For 203 absconders, the other State databases contained

* See glossary at end of report for definition.

different parolee addresses and/or employer information than what DOC had documented in OMNI. We believe that, if DOC could obtain access to this information, it could be helpful in locating and apprehending absconders.

Further review disclosed that 15 (7%) of the 203 absconders had a high or very high assault risk* and another 63 (31%) absconders had a middle assault risk*. Also, 7 (47%) of the 15 high or very high assault risk absconders and 7 (11%) of the 63 middle assault risk absconders were violent criminals, chronic absconders, and/or persistent substance abusers. All 15 high or very high assault risk and 7 middle assault risk absconders represent a potential risk to society based on their violent criminal history and their failure to respond positively to parole and, therefore, could potentially be returned to prison after they are apprehended.

DOC management informed us that it had forwarded offender data to other State departments and had attempted to obtain data from other State departments but was unsuccessful because of various interpretations of federal and State laws. However, we believe that pursuing the necessary legal steps and establishing a reciprocal relationship with other State departments could benefit DOC in its efforts to locate absconders, decrease the public safety risk, and benefit other departments in processing payments to eligible recipients.

RECOMMENDATION

We recommend that DOC take the necessary steps to obtain access to other State databases to help locate absconders, including requesting an Attorney General opinion, seeking amendatory legislation, and establishing reciprocal data sharing agreements with other State departments.

AGENCY PRELIMINARY RESPONSE

DOC agrees with the recommendation and will continue to take steps to obtain access to other State databases to help locate absconders. DOC informed us that it has made numerous attempts to obtain information from other State departments that may assist in locating and apprehending absconders. DOC also informed us that it has worked with law enforcement agencies to obtain information relating to absconders from other State databases. DOC believes that the primary barrier that prevents it from obtaining access to other State databases is that DOC must

** See glossary at end of report for definition.*

have legal authority to obtain and use the information. As of the date of this response, the information from other State databases that was used in the auditors' match was not available to DOC.

FINDING

2. Parolee Supervision

DOC did not always comply with its policies for supervising parolees.

Improper monitoring of parolees increases the risk to public safety. In addition, parolees who are not properly supervised may experience poor reintegration into society, which may contribute to parolees returning to prison.

DOC policies and procedures require Field Operations Administration (FOA) to assign parolees to a field office parole agent for supervision. Parolees are assigned to minimum, medium, maximum, or intensive supervision. The parolee's supervision level dictates the required amount of in-person contact with his/her parole agent and the required number of substance abuse tests and employment verifications that the parole agent should conduct as indicated in the following table:

Supervision Level	In-Person Contacts (Per Month)	Substance Abuse Tests Before February 2007 (Per Month)	Substance Abuse Tests After February 2007 (Per Month)	Employment Verification (Per Month)
Minimum	1	N/A	N/A	N/A
Medium - Employed parolee	1	0	2	1
Medium - Unemployed parolee	2	0	2	N/A
Maximum - Employed parolee	4*	1	2	2
Maximum - Unemployed parolee	4	1	2	N/A
Intensive**				

* In-person contacts may be alternated with telephone contacts.

** The FOA director or designee determines the number of contacts and other verifications required for offenders under intensive supervision.

Parole agents monitor parolee behavior through a variety of techniques, including visiting an offender's home, verifying an offender's residence, contacting employers, requiring documentation of attendance at school or in required programs, testing for substance abuse, and contacting law enforcement agencies.

We reviewed 105 parolee case files to determine if FOA supervision was in compliance with statutes and policies. We determined:

- a. DOC inappropriately lowered the supervision level for 12 (11%) of the 105 parolees. The number of days that parolees were misclassified ranged from 7 to 349 days and averaged 155 days per parolee. As a result, the parole agents did not perform a total of 129 in-person contacts and 34 substance abuse tests that would have been required if the parolees were properly classified.

In one case, the parolee was improperly reclassified from maximum to medium supervision. As a result, the parolee was improperly supervised at a medium rather than a maximum supervision level for 349 days. Consequently, the parole agent did not perform 26 in-person contacts and 10 substance abuse tests.

DOC policy directive 06.04.130 requires that, before a parole supervision level reduction can occur, a parolee must satisfactorily complete six continuous months at a higher supervision level and meet certain criteria, including full-time employment for the previous three months, no detected substance abuse or pending felony charges in the last six months, and adequate compliance with parole conditions.

- b. Parole agents did not complete parole violation response guideline forms (CFJ-175s) in 40 (38%) of the 105 cases. For these 40 cases, 155 (73%) of 211 required CFJ-175s were not completed. The number of CFJ-175s that were not completed by the agents ranged from 1 to 14 and averaged 4 per parolee.

Completing the CFJ-175 helps to provide assurance that DOC has taken the appropriate response to a violation of parole and documents who approved that response.

DOC policy directive 06.06.100 requires parole agents to complete a CFJ-175 when there is evidence to support one or more charges of parole violation.

- c. Parole agents did not perform required home calls* in 4 (4%) of the 105 cases. For these 4 cases, 4 (27%) of 15 required home calls were not performed. Also, parole agents performed home calls late in 8 (9%) of 93 cases. For these 8 cases, 9 (28%) of 32 required home calls were not performed on time. The late home calls ranged from 11 to 361 days late and averaged 98 days late per parolee.

DOC policy directive 06.04.130 requires that home calls occur 90 calendar days after the offender's initial placement on active supervision or within two weeks after each reported change of permanent residence. Completing home calls allows parole agents to monitor the home activity of parolees and form a relationship with and engage the help of the parolee's support group, such as family and spouse.

- d. Parole agents did not perform required residency verifications on time in 5 (5%) of the 105 cases. For these 5 cases, 5 (8%) of 65 residency verifications were not performed on time. The late residency verifications ranged from 184 to 227 days late and averaged 197 days late per parolee.

DOC policy directive 06.04.130 requires that the parole agent verify the permanent residence of a parolee at least every three months. Performing residency verifications provides an additional confirmation of the parolee's residency and helps parole agents ensure compliance with parole orders regarding residency restrictions.

- e. Parole agents did not perform required substance abuse tests in 22 (21%) of the 105 cases. For these 22 cases, 54 (14%) of 384 required tests were not performed on time. The number of missing substance abuse tests ranged from 1 to 12 and averaged 2 per parolee.

DOC policy directive 06.04.130 requires that parole agents perform periodic substance abuse tests (see previous table) on parolees. Performing required substance abuse tests enables parole agents to make appropriate referrals for substance abuse programming or to issue parole violation charges.

* See glossary at end of report for definition.

- f. Parole agents did not perform required annual Law Enforcement Information Network (LEIN) checks in 12 (11%) of the 105 cases and 1 (1%) LEIN check was performed untimely.

DOC policy directive 06.04.130 requires that parole agents perform a criminal history check through LEIN annually and one month before discharge. Consistently performing required LEIN checks will help ensure that the parolee did not commit any criminal activity while on parole.

- g. Parole agents did not request an absconder warrant on time in 3 (30%) of 10 cases for parolees who absconded from parole supervision. The untimely warrants ranged from 3 to 10 days late and averaged 7 days late per parolee.

DOC operating procedure 06.06.116 requires parole agents to issue an absconder warrant for the arrest of a parolee who misses two consecutive scheduled in-person contacts. Issuing late absconder warrants increases public safety risk and delays DOC's efforts in locating the absconder.

RECOMMENDATION

We recommend that DOC comply with its policies for supervising parolees.

AGENCY PRELIMINARY RESPONSE

DOC agrees and will continue to take steps to improve agent compliance with policies.

Supervision levels currently dictate the required amount of in-person contact required by the agent. DOC informed us that it is moving toward Collaborative Case Management (CCM), which will alter current contact requirements. CCM will utilize a validated risk and needs assessment to classify parolees and supervision techniques will be based on best practices. DOC also informed us that a CCM planning committee and subcommittees have been established to assist in the implementation of CCM. These committees will make recommendations for modifications to policies and procedures associated with the supervision of offenders to meet the CCM model. They will also review various types of offender contacts, when and how to respond to noncompliant offenders, levels of classification, and the use of automated reviews.

DOC noted that it audits supervision levels, timeliness of home calls, residency verifications, and absconder warrants in its annual agent caseload audit process. In addition, DOC intends to perform monthly reviews of a sample of each agent's caseload and work performance in the areas of appropriate supervision levels and contacts and verifications made to hold offenders accountable and promote offender success. Statutory requirements in the areas of substance abuse testing and LEIN checks will also be included.

DOC also noted that an agent's failure to complete the parole violation response guideline form (CFJ-175) does not mean that the agent did not respond appropriately to each known violation. The audit disclosed that sometimes agents were not completing the form on relatively minor violations that have a routine response. The need to complete the form for every known violation and to incorporate the form into OMNI will be reviewed by a CCM workgroup. If incorporated into OMNI, it will require completion of the form prior to completion of the violation report. This will compel the agent to complete the form when it is required.

In addition, DOC informed us that it updated the substance abuse testing procedure, which clearly defines departmental and statutory requirements in regard to the testing of parolees. DOC also informed us that an enhancement to OMNI was implemented to account for statutory changes. Further, DOC informed us that it also updated the policy containing the LEIN check requirements to clarify prior misinterpretations and to require a more strict LEIN check schedule. OMNI will be enhanced to include automated scheduling of annual LEIN checks.

FINDING

3. Monitoring of Absconders

DOC did not effectively monitor the contract agency responsible for investigating, locating, and arresting Region I absconders. As a result, DOC could not ensure that minimum supervision standards were maintained and that active absconders were thoroughly investigated, located, and arrested.

After a parole agent identifies a parolee as an absconder, the area manager authorizes an absconder warrant and the Electronic Monitoring Center enters the

absconder warrant into LEIN. Generally, the warrant confirmation is then transmitted to the appropriate DOC regional ARU.

We reviewed ARU operations in all three DOC regions. ARUs in Regions II and III conduct their operations utilizing DOC employees; however, Region I contracts with an outside law enforcement agency to perform its ARU services, including investigating, locating, and arresting absconders. The current contract, totaling \$5.1 million, covers the period October 1, 2004 through October 1, 2008.

Our review of ARU operations disclosed:

- a. DOC did not conduct reviews of the active absconder case files maintained by the contractor. As a result, DOC could not determine if the contractor was in compliance with DOC minimum absconder supervision standards and if all opportunities were taken to apprehend absconders.

DOC policy directive 06.01.130, DOC operating procedure 06.01.130A, and Appendix A of the Region I ARU contract require ARU to conduct reviews of active absconder case files.

Because DOC did not review contractor performance, we reviewed Region I outstanding absconder warrant data from OMNI. We noted that 1,159 absconder warrants were issued as of March 31, 2007 and were still active in OMNI as of June 4, 2007:

Period Issued	Warrants Outstanding
1974 - 1983	11
1984 - 1993	93
1994 - 2003	175
2004	69
2005	140
2006	378
2007	293
Total	<u>1,159</u>

We noted that 103 (9%) of the 1,159 absconders had a high or very high assault risk and another 305 (26%) absconders had a middle assault risk. The

Parole Board considers a parolee's assault risk when determining whether an absconder is referred back to prison. We also determined that 97 (24%) of the 408 high or very high assault risk or middle assault risk absconders committed violent crimes and were chronic absconders and/or persistent substance abusers. Based on the risky nature of this population, DOC should monitor the contractor to help ensure that supervision standards are met and all opportunities are taken to apprehend absconders.

- b. DOC did not require the contractor to submit documentation required by the ARU contract.

Securing required documentation would help DOC determine whether the required initial and ongoing follow-up actions were taken by the contractor and would help to ensure that the contractor is taking the required initial actions after activating a case, which could be paramount in the success of apprehending an absconder.

Appendix A of the Region I ARU contract requires the contractor to activate all cases within five working days of referral and to send copies of the investigator case notes to DOC within five days of activating a case. Also, the contractor is required to contact the absconder's last known employer, last residence, family members, or those who might have knowledge of the absconder upon activation of a case. In addition, the contractor is required to forward documentation of all LEIN/Computerized Criminal History inquiries conducted to DOC every six months.

DOC staff informed us that the contractor submits monthly arrest and apprehension data; however, DOC did not require the contractor to submit documentation essential to determine that other contractual requirements were met. As a result, contractual payments were made to the contractor without verification of contractual activity.

- c. DOC Region I staff did not utilize the ARU database to track absconder cases that were forwarded to the contractor. As a result, DOC staff could not ensure that the contractor investigated all cases that were forwarded to it.

Without utilizing the ARU database, DOC could not properly identify the outstanding absconder cases at any given time. Consequently, DOC staff

were not able to conduct periodic reconciliations of all absconder cases to ensure that DOC records agreed with the active cases maintained by the contractor. Also, utilizing the ARU database would allow DOC Region I management to periodically reconcile its database with OMNI and the listing of case files maintained by the contractor. In addition, the database could also serve as a valuable tool for preparing aging schedules of active cases and for conducting case file reviews.

DOC staff in each region have access to two databases, OMNI and their own regional ARU database, to assist them in tracking absconder activity. DOC staff in Regions II and III effectively utilized the ARU database to track active absconder cases. All absconders are manually entered into the ARU database, from which the cases are assigned to investigative staff. DOC staff in these regions have the ability to identify all outstanding absconder cases at any given time. DOC staff in Region I, in contrast, manually log the absconders in a logbook when they assign cases to the Region I ARU contractor. The referrals are not entered into the ARU database and, as a result, DOC staff were not able to readily access an up-to-date listing of outstanding absconder cases.

DOC staff in Region I utilize the ARU database solely for reporting purposes. DOC provided us with selected ARU monthly statistical reports; however, because the database was not fully utilized for tracking absconders, the absconder data in the reports was not accurate. As of March 31, 2007, the Region I ARU reported 984 active absconders. However, OMNI data indicated that there were at least 1,159 active absconders as of that date. Furthermore, the contractor indicated that it had approximately 2,600 active absconder files as of the end of March. After our review, DOC staff in Region I informed us that they were able to reconcile their parolee totals with the contractor and that they were planning on performing monthly reconciliations.

RECOMMENDATION

We recommend that DOC effectively monitor the contract agency responsible for investigating, locating, and arresting Region I absconders.

AGENCY PRELIMINARY RESPONSE

DOC agrees and informed us that it has taken steps to comply. DOC stated that ARU duties were reassigned to a different supervisor whose duties now include reviewing 50 active absconder files each month to determine the contractor's compliance with the contract. In addition, DOC informed us that the ARU supervisor is reviewing monthly information submitted by the contractor regarding arrest and apprehension data to monitor the contractor's performance.

DOC informed us that it has reconciled the absconder files maintained by the contractor to OMNI. DOC also indicated that it intends to enhance OMNI to generate a master list of absconders by region, offender name, and other variables. This will eliminate the need to maintain separate ARU databases. The contractor will have access to the master list in OMNI.

FINDING

4. Parole Discharges

DOC did not properly document that parolees met the requirements for discharge.

Documenting the discharge eligibility helps DOC to ensure that parolees are properly discharged and to enhance public safety. We noted no ineligible parole discharges.

The Parole Board considers eligibility for discharge at the end of a parole term when all conditions and requirements of parole are met, including (a) full payment of restitution and crime victim assessment fees on all active paroled DOC sentences, (b) full payment of Parole Board ordered polygraph examination fees, (c) no felony suspect information filed during the parole term, (d) no pending charges or warrants for an offense occurring during the parole term, and (e) no active personal protection order that became effective during the parole term.

We reviewed 30 discharge cases and noted:

- a. The parole agent did not document the performance of a 90-day review, LEIN check, or both in 4 (13%) instances, 3 (10%) instances, and 3 (10%) instances of 30 case files, respectively.

Failure to document the review may decrease the ability to collect court-ordered payments and may cause inefficiencies by not providing current information to the Parole Board regarding a parolee's potential discharge.

DOC operating procedure 06.05.135 requires that the parole agent review potential parole discharge cases at least 90 calendar days before the discharge date to determine eligibility for discharge, including a LEIN check. The procedure requires that the parole agent document the date of review and subsequent action taken in the case notes.

- b. Parole agents did not complete the case report form (CFJ-104) before discharging 4 (17%) of 24 parolees who owed crime victim assessment fees at the time of their original parole discharge. As a result, the Parole Board may not have had all information that could have influenced its parole discharge decision.

DOC operating procedure 06.05.135(l) states that if a parolee owes crime victim assessment fees but is eligible for discharge consideration based on extenuating circumstances, the parole agent may submit a CFJ-104 for discharge processing consideration. Otherwise, a request to amend the parole order should be prepared by completing an order for parole extension form (CFJ-106).

- c. Parole agents did not include all necessary information in the CFJ-104 in 4 (13%) of the 30 case files.

Without complete CFJ-104s, DOC cannot ensure proper discharge of parolees.

DOC operating procedure 06.05.135 requires a CFJ-104 to include current active offense(s); date and term of parole; current level of supervision if requesting early discharge; employment or means of support; summary of parole adjustment, including violation behavior; status of all ordered payments, including payment efforts if a balance is owed; and recommendation and rationale.

RECOMMENDATION

We recommend that DOC properly document that parolees met the requirements for discharge.

AGENCY PRELIMINARY RESPONSE

DOC agrees and will comply. OMNI currently prompts agents to perform LEIN checks 90 days prior to discharge. DOC will use reports compiled by the Parole Discharge Unit to monitor compliance. DOC will also remind staff at staff meetings to ensure that 90-day reviews are completed in conjunction with the 90-day LEIN check. DOC noted that there are other redundancies in place to ensure that a LEIN check is completed prior to a parolee being granted a discharge, including LEIN checks that are conducted 30 days prior to discharge and again at 24 hours prior to discharge.

DOC will implement the use of a modified case report form to be used for parole discharges. This automated OMNI form will include each required field or heading. The Parole Board will not accept the form unless all required fields and headings are complete.

COMPLIANCE RELATED TO PROCESSING PAROLE VIOLATORS

COMMENT

Audit Objective: To assess the effectiveness of DOC's efforts to comply with its policies and procedures related to processing parole violators.

Conclusion: We concluded that DOC's efforts to comply with its policies and procedures related to processing parole violators were effective. Our audit report does not include any reportable conditions related to this audit objective.

INTEGRITY OF OMNI PAROLE DATA

COMMENT

Audit Objective: To assess the effectiveness of DOC's efforts to ensure the integrity of parole data within OMNI.

Conclusion: We concluded that DOC's efforts to ensure the integrity of parole data within OMNI were moderately effective. Our assessment disclosed one reportable condition related to OMNI accuracy (Finding 5).

FINDING

5. OMNI Accuracy

DOC parole agents did not properly update OMNI. As a result, DOC could not ensure that parolee supervision data was accurate and complete.

FOA staff utilize OMNI to document essential case management activities. In addition to documenting case supervision activity, DOC enters supporting offender data in OMNI. As a result, OMNI is a critical tool for assessing and documenting a parolee's character, background, effort in completing DOC programs, and progress toward parole completion. In addition, FOA generates reports that are used in its annual audits of parole agents. The results of these annual audits are used in the annual civil service evaluation of the selected parole agents and also to monitor parole agent's compliance with statute and policy. In addition, OMNI is used to complete statistical reporting functions for State and federal agencies.

We selected 105 parole case files active between September 1, 2006 and March 5, 2007 and compared case file information with OMNI data. During our review, we noted:

- a. OMNI data in the supervision and/or employment data fields did not agree with OMNI case notes in 15 (14%) case files.

We noted that in one case, a parolee was improperly classified as employed in the supervision and employment data fields for three years, although employment verifications were not documented in the case notes.

Without accurate data, the parole agent could not ensure that the required in-person contacts and substance abuse tests were completed for the correct parolee supervision level. Also, accurate parolee data helps ARU staff in apprehending absconders. In addition, FOA staff rely on OMNI data as a launching pad to perform the FOA annual audit of parole agent caseloads. As part of the audit process, DOC developed various edits to systematically review OMNI for public protection issues. As a result, it is vital that OMNI data is correct to ensure that the audit process is efficient.

FOA management informed us that OMNI did not automatically populate data fields based on information input in OMNI case notes or specific data fields by parole agents.

- b. OMNI data did not reconcile to hard copy supporting documentation in 6 (6%) case files.

Documenting parolee information helps DOC to ensure that parole agents collect accurate, relevant, and reliable parole data.

For example, in one case, OMNI noted in-person contacts between the parole agent and parolee; however, the parole agent did not document 26 (93%) of 28 in-person contacts on the offender supervision report form (CFJ-105). The CFJ-105 provides current parolee data, including parolee address, name of individual the parolee is living with, employment location, and date of in-person contact.

DOC policy directive 06.04.130 requires offenders to submit a completed CFJ-105 at each required in-person contact for the supervising agent's review and signature.

RECOMMENDATION

We recommend that DOC properly update OMNI.

AGENCY PRELIMINARY RESPONSE

DOC agrees and informed us that it has taken steps to comply. DOC stated that it issued an instructional memorandum to staff instructing them to update and accurately maintain employment fields within the correct OMNI tabs (data screens).

Staff will also be reminded at staff meetings to ensure that supervision fields within OMNI are updated.

DOC informed us that an additional instructional memorandum was issued to clarify the frequency at which the offender supervision report form (CFJ-105) needs to be completed. DOC stated that staff were informed that an electronic version of the form can be used that encourages staff to update various OMNI tabs. In addition, a more user-friendly version of the electronic form is under development.

SUPPLEMENTAL INFORMATION

PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections (DOC)
Selected Characteristics of the Michigan Parole Population *
As of July 16, 2007

	Number	Percent
Total Parole Population	17,823	100.0%
Jurisdiction:		
Michigan	16,474	92.4%
Other	1,349	7.6%
Gender:		
Male	16,136	90.5%
Female	1,687	9.5%
Race:		
Black	8,890	49.9%
White	8,387	47.1%
Hispanic	215	1.2%
American Indian	113	0.6%
Asian/Native Hawaiian/other Pacific Islander	34	0.2%
Other	20	0.1%
Not specified	164	0.9%
Total Parole Population in Michigan Jurisdiction	16,474	100.0%
Controlling Sentence Minimum Term:		
1 year or less	3,570	21.7%
1 to 2 years	7,100	43.1%
2 to 3 years	2,442	14.8%
3 to 4 years	1,005	6.1%
4 to 5 years	852	5.2%
5 to 10 years	1,110	6.7%
Greater than 10 years	364	2.2%
Life	31	0.2%
Controlling Sentence Crime:		
Sex crime	784	4.8%
Other violent	4,863	29.5%
Drug crime	3,131	19.0%
Other nonviolent	7,696	46.7%

* Excludes parolees on absconder status.

This exhibit presents selected characteristics of parolees who were under DOC supervision on July 16, 2007.

Source: Corrections Management Information System (CMIS).

PAROLE SUPERVISION AND PAROLE HEARING PROCESS

Department of Corrections
Follow-Up Outcomes of Paroled Offenders

Two-Year Follow-Up

Year Paroled	Total Cases	Success		Failure			Percent of Total Cases				
		Total	Total	Absconds (1)	Technical Violators (2)	New Sentence (2)(3)	Total Success	Total Failure	Absconds	Technical Violators	New Sentence
1998	10,054	5,157	4,897	1,000	2,663	1,234	51.3%	48.7%	9.9%	26.5%	12.3%
1999	9,275	4,929	4,346	881	2,484	981	53.1%	46.9%	9.5%	26.8%	10.6%
2000	8,709	4,634	4,075	800	2,242	1,033	53.2%	46.8%	9.2%	25.7%	11.9%
2001	9,591	5,110	4,481	1,070	2,206	1,205	53.3%	46.7%	11.2%	23.0%	12.6%
2002	10,254	5,408	4,846	1,630	1,851	1,365	52.7%	47.3%	15.9%	18.1%	13.3%
2003	10,987	5,864	5,123	1,835	1,837	1,451	53.4%	46.6%	16.7%	16.7%	13.2%
2004	10,818	5,808	5,010	1,533	1,975	1,502	53.7%	46.3%	14.2%	18.3%	13.9%

Five-Year Follow-Up

Year Paroled	Total Cases	Success		Failure			Percent of Total Cases				
		Total	Total	Absconds (1)	Technical Violators (2)	New Sentence (2)(3)	Total Success	Total Failure	Absconds	Technical Violators	New Sentence
1998	10,054	4,833	5,221	78	2,826	2,317	48.1%	51.9%	0.8%	28.1%	23.0%
1999	9,275	4,493	4,782	78	2,554	2,150	48.4%	51.6%	0.8%	27.5%	23.2%
2000	8,709	4,340	4,369	94	2,139	2,136	49.8%	50.2%	1.1%	24.6%	24.5%

(1) Parolees who are on absconder status after two or five years from parole.

(2) If a prisoner returned as a technical violator but also received a new sentence within two or five years, the case is counted in the "New Sentence" column.

(3) "Failure" includes cases discharged from parole but recommitted for a new sentence within two or five years of parole.

This exhibit presents the outcomes for prisoners who were paroled from 1998 through 2004. A two-year follow-up was done for all parolees, regardless of parole status, during that period. A five-year follow-up was done, regardless of parole status, for prisoners who were paroled from 1998 through 2000. "Success" indicates that the parolee was not on absconder status or had not returned to prison at the end of the follow-up period. "Failure" indicates that the parolee had absconded or had returned to prison.

Source: Corrections Management Information System (CMIS).

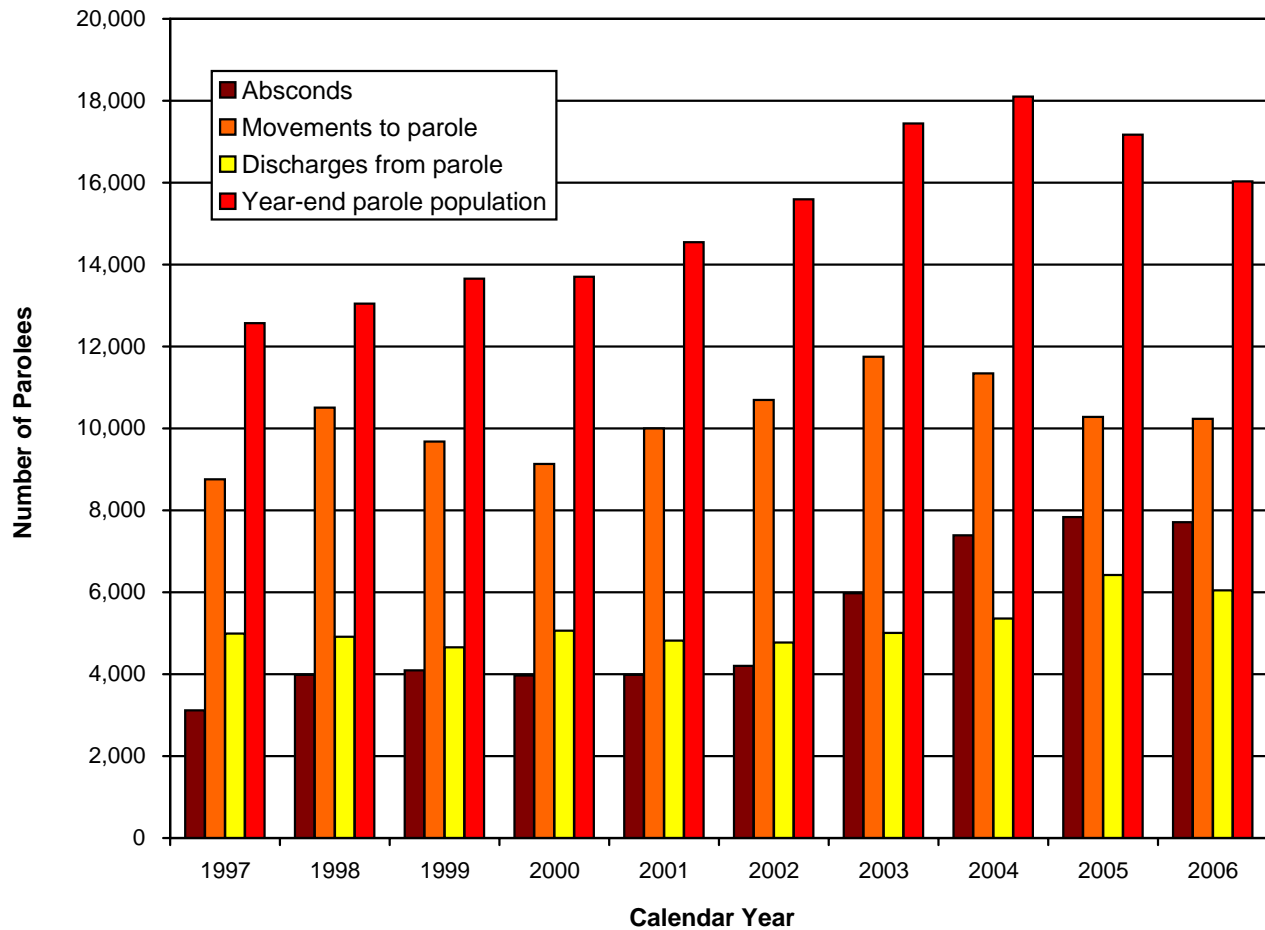
PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections
Supervision Levels of Parolees
As of July 26, 2007

	<u>Number</u>	<u>Percent</u>
Intensive supervision - Employed parolee	131	1%
Intensive supervision - Unemployed parolee	173	1%
Maximum supervision - Employed parolee	2,181	10%
Maximum supervision - Unemployed parolee	4,363	20%
Medium supervision - Employed parolee	1,997	9%
Medium supervision - Unemployed parolee	3,052	14%
Minimum supervision - Employed parolee	1,665	8%
Minimum supervision - Unemployed parolee	1,643	8%
Minimum supervision - Parolee on administrative status	1,216	6%
Minimum supervision - Employment unspecified	134	1%
Parolee on absconder warrant status	3,362	16%
Parolee on felony warrant status	1,106	5%
Other	<u>487</u>	<u>2%</u>
Total	<u><u>21,510</u></u>	<u><u>100%</u></u>

This exhibit presents the parole supervision levels for active parolees who were on parole as of July 26, 2007. This exhibit also presents parolees on absconder or felony warrant status as of that date.

Source: Offender Management Network Information System (OMNI).

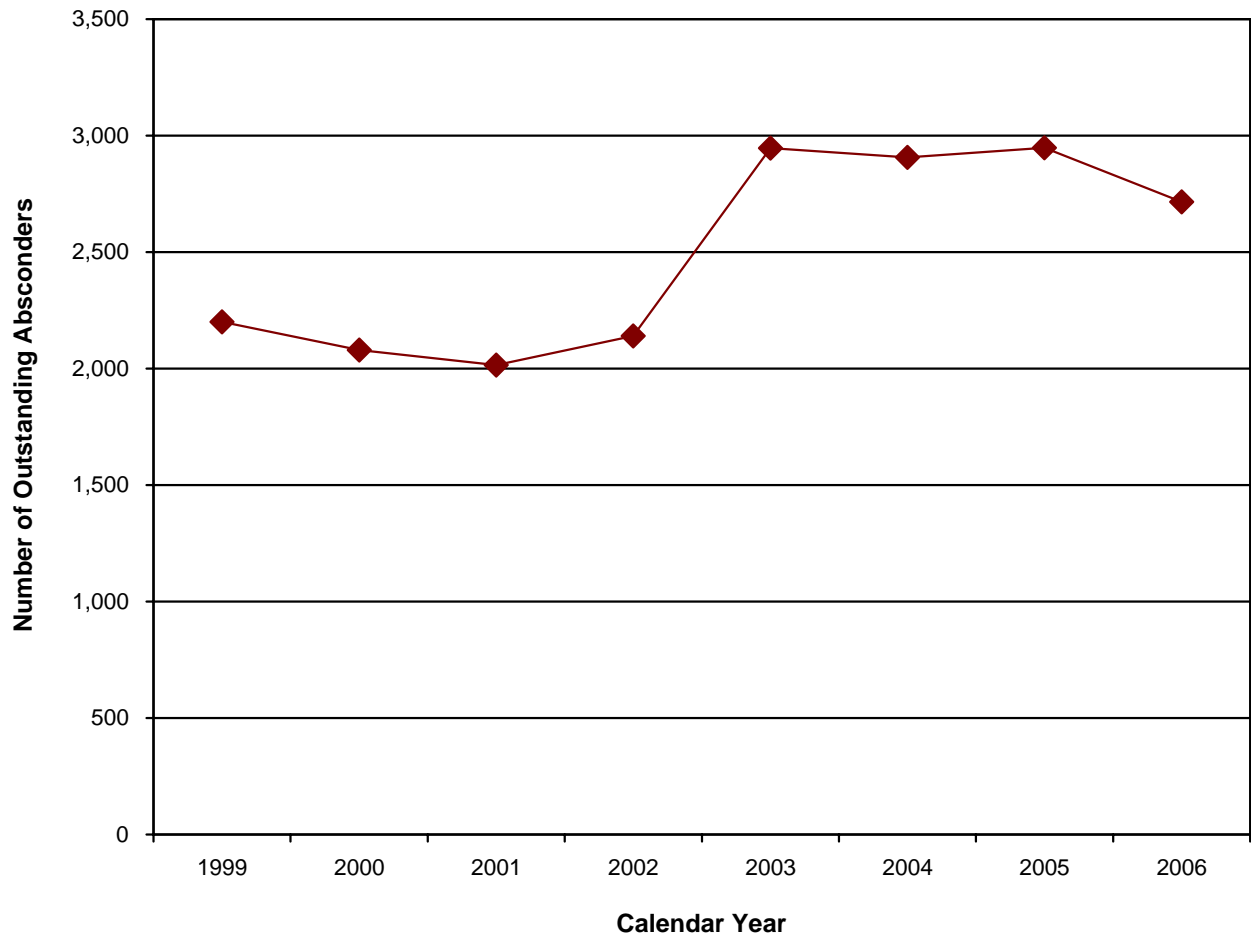
PAROLE SUPERVISION AND PAROLE HEARING PROCESS
 Department of Corrections
 Absconds, Movements to Parole, Discharges From Parole, and Year-End Parole Population
For Calendar Years 1997 Through 2006



This exhibit presents the number of parolees who absconded, the number of movements to parole, and the number of discharges from parole each year for calendar years 1997 through 2006. This exhibit also presents the year-end parole population as of December 31 for each year.

Source: Corrections Management Information System (CMIS).

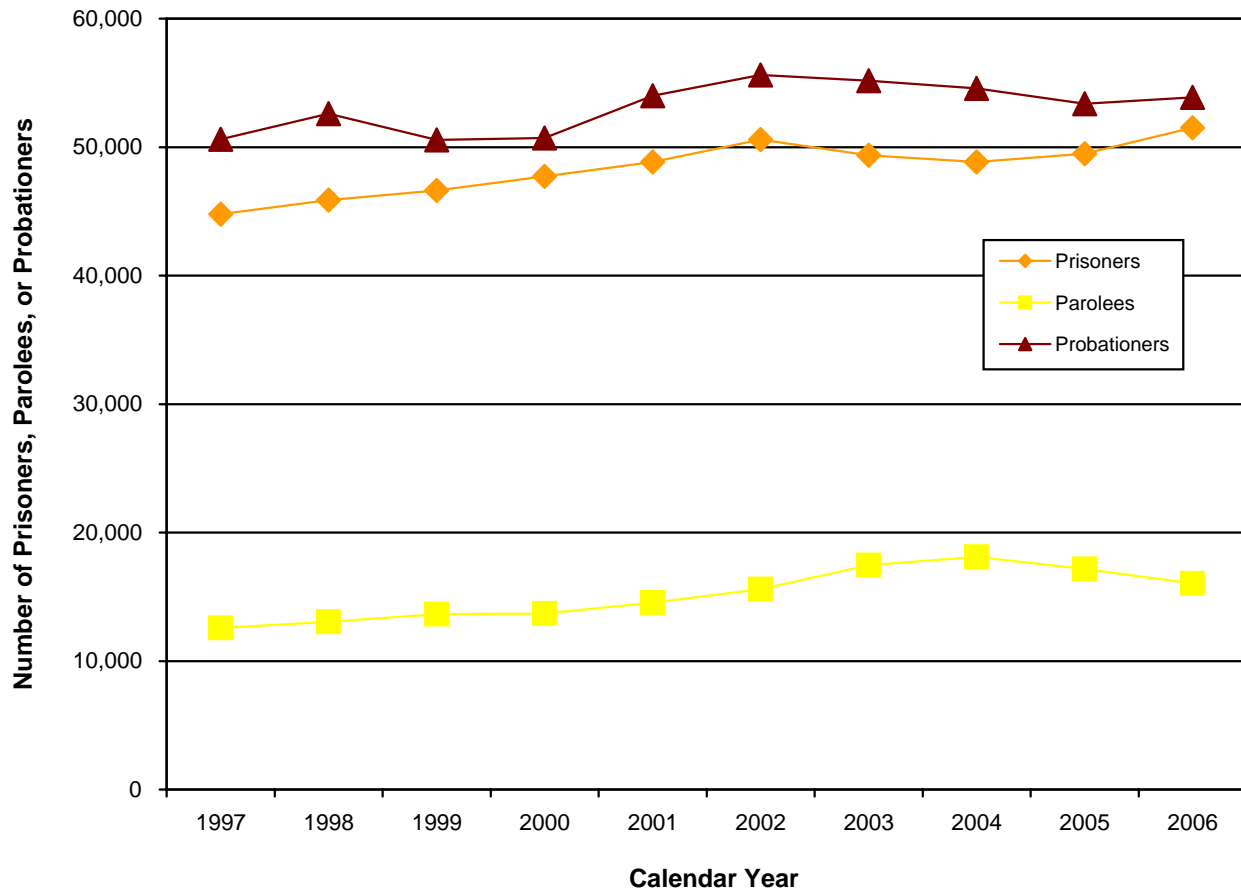
PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections
Outstanding Absconders
For Calendar Years 1999 Through 2006



This exhibit presents the number of parolees who were on absconder status at each year-end for calendar years 1999 through 2006.

Source: Offender Management Network Information System (OMNI).

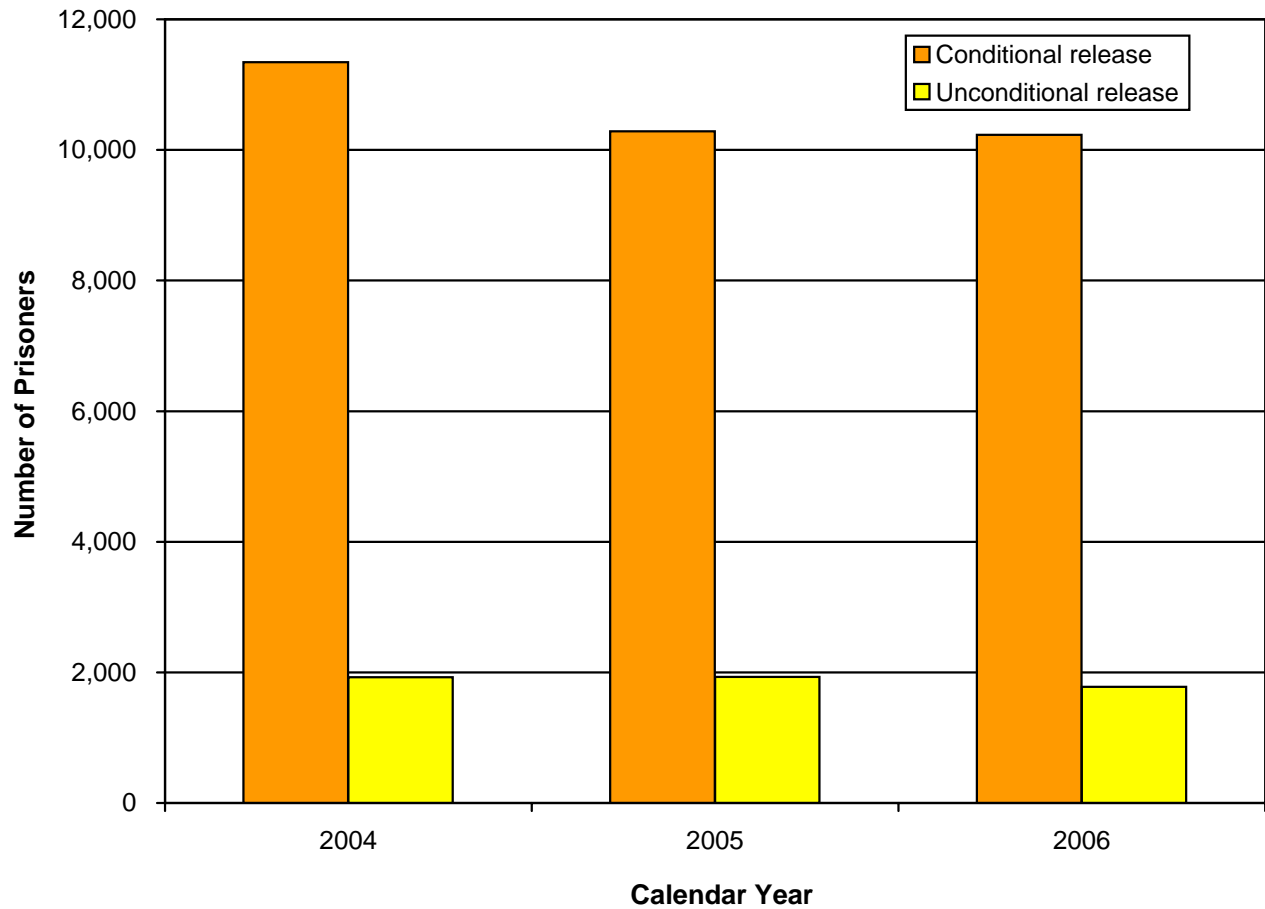
PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections (DOC)
Prisoners, Parolees, and Probationers Under DOC Supervision
For Calendar Years 1997 Through 2006



This exhibit presents the number of prisoners, parolees, and probationers at each year-end for calendar years 1997 through 2006.

Source: Corrections Management Information System (CMIS).

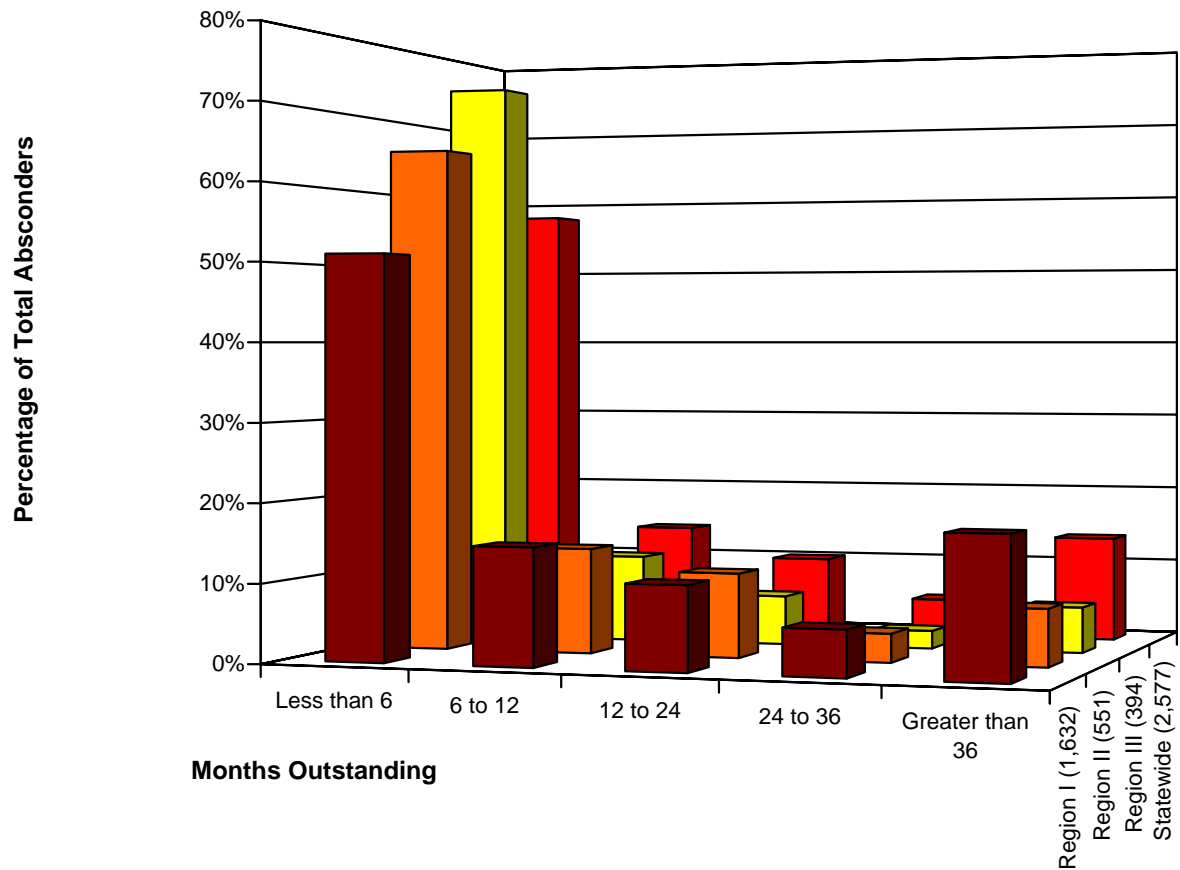
PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections
Michigan Prisoner Releases
For Calendar Years 2004 Through 2006



This exhibit presents the number of prisoners conditionally released to parole and the number of prisoners unconditionally released after they served their maximum sentences in calendar years 2004, 2005, and 2006.

Source: Corrections Management Information System (CMIS).

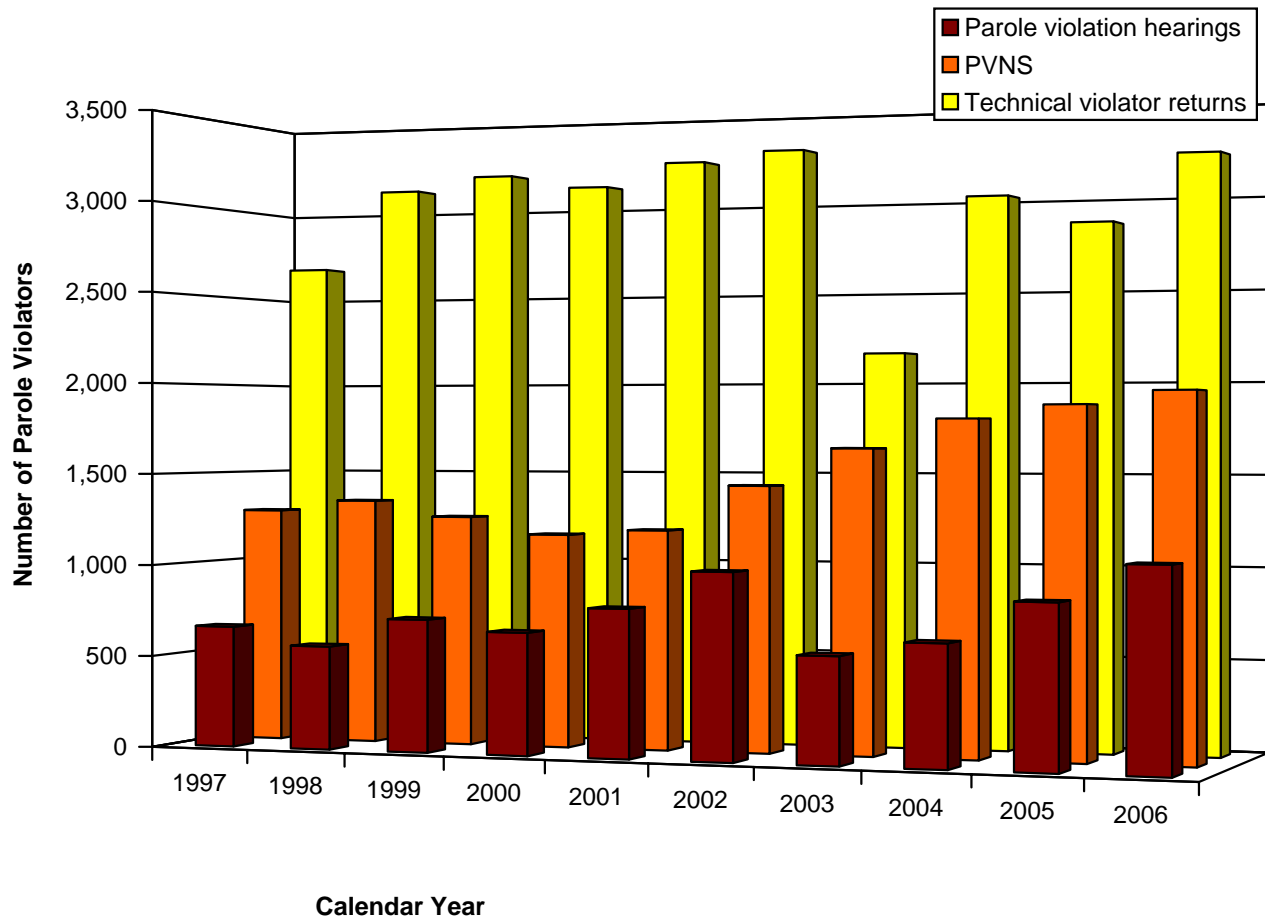
PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections
Aging of Outstanding Absconder Warrants by Region and Statewide
As of May 10, 2007



This exhibit presents the aging of outstanding absconder warrants, by region and Statewide, as a percentage of total absconders.

Source: Offender Management Network Information System (OMNI).

PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections
Parole Violation Activity
For Calendar Years 1997 Through 2006



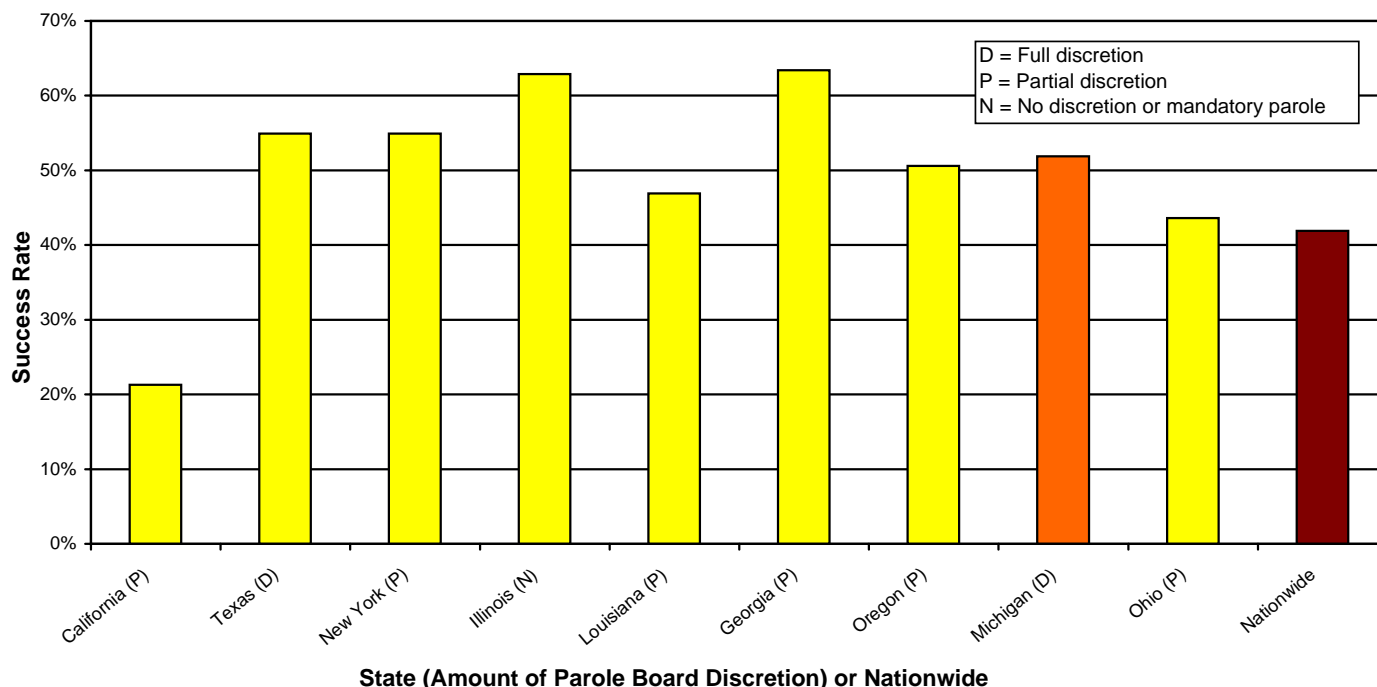
This exhibit presents the number of parole violation hearings, the number of parole violators returned to prison with a new sentence (PVNS), and the number of technical violators returned to prison each year for calendar years 1997 through 2006.

Sources: Corrections Management Information System (CMIS) and Field Operations Administration (FOA).

PAROLE SUPERVISION AND PAROLE HEARING PROCESS

Department of Corrections (DOC)

Success Rate* for 1999 Parolees in Nine Large Parole Population States and Nationwide
Calendar Year 2005



* Percentage of parolees who successfully completed their term of supervision without absconding or returning to jail or prison.

This graph presents the success rate for prisoners paroled in 1999 in 9 states with large parole populations and nationwide. This graph also presents the amount of discretion that the state parole boards have (if any). The Michigan Parole Board has full discretion when deciding to parole prisoners.

Source: Bureau of Statistics, U.S. Department of Justice.

Discretionary Parole and Mandatory Parole

	Discretionary Parole	Mandatory Parole
Release date	Decided by parole board	Determined by law
Criteria	Based on parole board guidelines	None
Post-release supervision	Yes	Maybe

This table presents the methods for releasing prisoners to parole. In a discretionary parole, a parole board decision is required for a prisoner to be paroled. In a mandatory parole, prisoners are automatically paroled after serving a set minimum sentence without parole board decision.

Source: DOC staff.

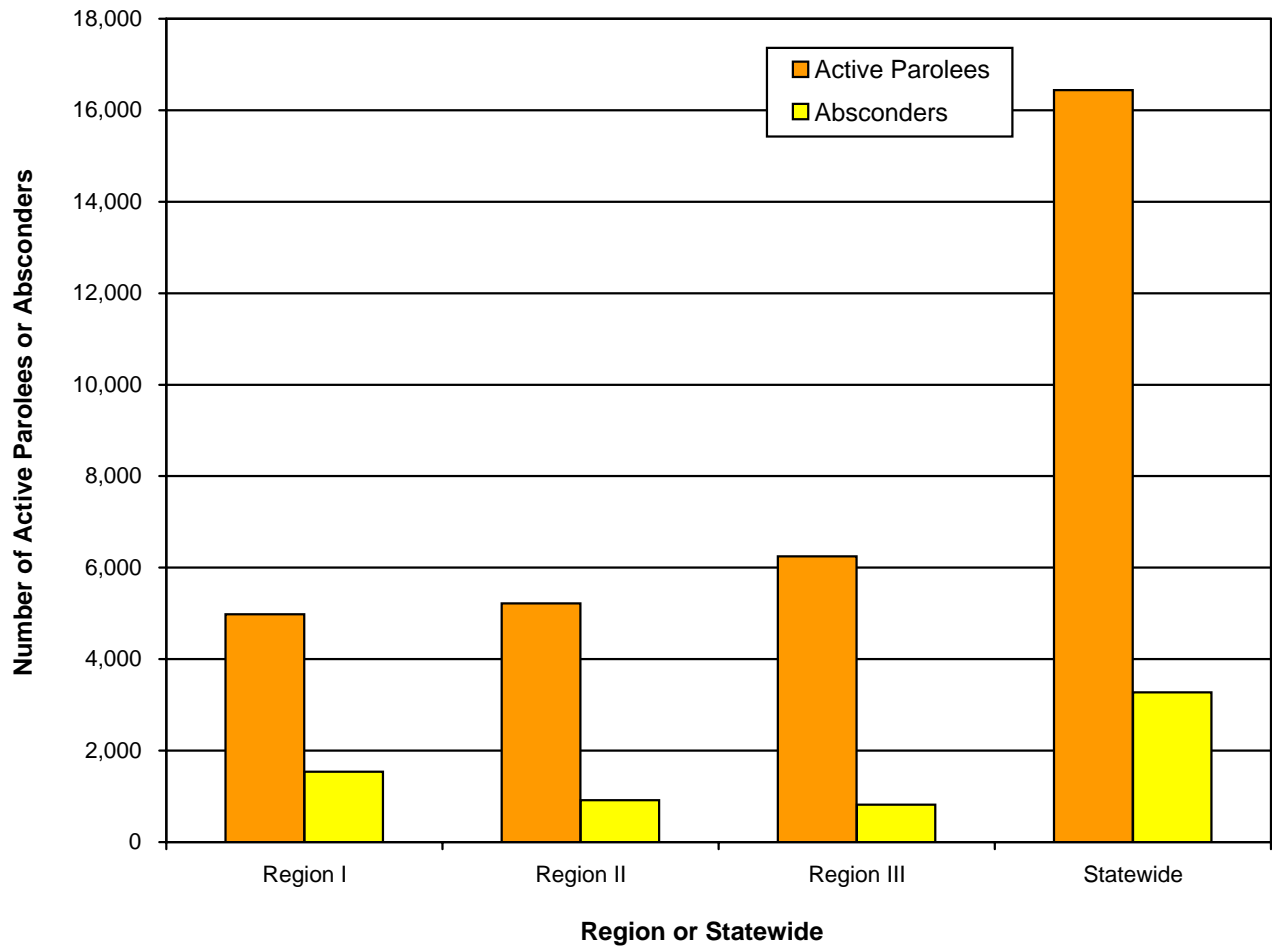
Degrees of State Parole Board Discretion in Prisoner Paroles

	Number of States
Full discretion (D)	25
Partial discretion (P)	20
No discretion or mandatory parole (N)	5

This table presents the amount of discretion that state parole boards have when releasing prisoners to parole. In Michigan, the parole board has full discretion (D) regarding parole. Parole boards have partial discretion (P) in states where certain crimes are not eligible for parole. In addition, some state parole boards make recommendations to the governor, who has the final release authority.

Source: 2003 DOC parole board survey.

PAROLE SUPERVISION AND PAROLE HEARING PROCESS
Department of Corrections
Parole Population by Region and Statewide
As of July 30, 2007



This exhibit presents the number of active parolees and absconders by region and Statewide as of July 30, 2007.

Source: Offender Management Network Information System (OMNI).

GLOSSARY

Glossary of Acronyms and Terms

absconder	A parolee who has fled supervision and/or missed two consecutive scheduled in-person contacts.
ARU	Absconder Recovery Unit.
CCM	Collaborative Case Management.
CFJ-104	case report form.
CFJ-105	offender supervision report form.
CFJ-106	order for parole extension form.
CFJ-175	parole violation response guideline form.
CMIS	Corrections Management Information System.
DOC	Department of Corrections.
effectiveness	Program success in achieving mission and goals.
FOA	Field Operations Administration.
high or very high assault risk	The assault risk assigned to parolees who had serious institutional misconduct while in prison and who, at one time, committed a crime of robbery, sexual assault, and/or murder.
home call	A personal visit to an offender's current or proposed residence in which contact with a person at the residence is made.
LEIN	Law Enforcement Information Network.

middle assault risk	The assault risk assigned to parolees who did not have serious institutional misconduct while in prison; who may or may not have committed a crime of robbery, sexual assault, and/or murder; and/or who may or may not have committed a juvenile felony.
OMNI	Offender Management Network Information System.
parolees	Felons who are incarcerated for at least the minimum portion of their sentences and are placed on parole by vote of the Parole Board. With some exceptions, a typical offender is supervised on parole for a period of two years. While on parole, offenders are monitored by parole agents employed by DOC.
performance audit	An economy and efficiency audit or a program audit that is designed to provide an independent assessment of the performance of a governmental entity, program, activity, or function to improve public accountability and to facilitate decision making by parties responsible for overseeing or initiating corrective action.
PVNS	parole violators returned to prison with a new sentence.
reportable condition	A matter that, in the auditor's judgment, represents either an opportunity for improvement or a significant deficiency in management's ability to operate a program in an effective and efficient manner.

